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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [RS](#) [GG](#)
SUBJECT: HUMAN RIGHTS OMBUDSMAN LUKIN ON RECOGNITION,
RUSSIAN INTERESTS, NEED FOR U.S. DIALOGUE

Classified By: Ambassador John R. Beyrle; reasons 1.4(b/d).

¶1. (C) Summary: In a cordial but contentious discussion August 27, Ambassador Beyrle reviewed the Georgian-Russian conflict with Russian Human Rights Ombudsman Ambassador Vladimir Lukin. Lukin, a liberal on the Russian political scene, said he had refused to label Georgian actions in South Ossetia as genocide, or estimate the number of persons killed. However, he defended Russian military action, as well as recognition of the independence of South Ossetia and Abkhazia. He said that steps by NATO and in particular the U.S. to build Georgia's military potential had emboldened Saakashvili to attack Tskhinvali, and that Russia had finally demonstrated that it would do what it deemed necessary to defend its national security interests. While the climate in Moscow or Washington would likely not support immediate high-level dialogue, he called for sustained official and unofficial engagement that might pave the way for renewed interaction between the new Medvedev and post-election U.S. administrations. End Summary.

The Culmination of Years of Mistakes

¶2. (C) Ambassador Beyrle told Lukin that there will be consequences for U.S.-Russia bilateral relations, but it is necessary to maintain frank and hopefully constructive dialogue, given that each country has global responsibilities on which they had to work together. Lukin (a former Russian ambassador to Washington) agreed. Though "strong winds have damaged relations, it is necessary to gather stones together and begin to rebuild." The current situation was not an accident of history; many factors brought us to this point. At the time of the fall of communist regimes in Europe and the break-up of the USSR, he opposed the continued existence of NATO, and also rejected subsequent steps toward NATO enlargement, especially in light of the exclusion of Russia from serious inclusion in the process or from serious discussions with NATO. Putting those developments in the context of current geo-political realities, he said the alliance had lost sight of a concrete plan or logic for enlargement and for its policies toward such countries as Georgia. Since the end of the Soviet period, Ossetia had been divided in two. South Ossetia had had its own government for 16 years. Too much had happened for it to agree to return to under Georgian control. Furthermore, no Russian government would ever agree to that, and the same was true of Abkhazia.

¶3. (C) Lukin said he is not a propagandist for the Russian government, but that the sequence of events was clear. The Georgian military started the war with its indiscriminate bombardment of Tskhinvali, using excessive force to try to subdue the city. Russia responded. Some human rights groups in Russia, Lukin said, were arguing that any use of force in response to Georgia was wrong, comparing the situation to what happened in Chechnya. Lukin said he recalls very well

those events and that the situation in South Ossetia is absolutely different. He reminded the Ambassador that he was one of Duma members at the time who voted for impeachment of (then) President Yeltsin for ordering the move on Groznyy.

¶4. (C) Lukin went on to question how Saakashvili could have launched the military strike without having first cleared the decision with Washington. Ambassador Beyrle responded firmly that the U.S. had for months discouraged Saakashvili from taking military action against Abkhazia and South Ossetia. Secretary Rice and other US officials had tried to convince the Georgian president until the last moment not to use force. It was dangerous, the Ambassador said, to allege that the U.S. had given Saakashvili the green light to attack. Lukin conceded that, in the end, Saakashvili had taken the decision himself.

Human Rights Violations in South Ossetia

¶5. (C) Turning to his recent trip to South Ossetia with COE Human Rights Commissioner Hammarberg, Lukin produced a pile of photos taken during the visit. He described the destruction that they showed, not of the whole of Tskhinvali, but of major sections of the city. Among the pictures were images of a completely destroyed outpost used by Russian peacekeepers (prior to the conflict) which, Lukin charged, demonstrated that Georgian attacks had targeted those facilities and the military personnel who staffed them.

¶6. (C) The Ambassador made clear that the continued presence of Russian forces in South Ossetia was unwelcome and indefensible. And launching a military campaign against civilian targets inside Georgia itself and seeking the removal of Saakashvili, went too far. Lukin did not respond directly, but rather argued that the portrayal of the conflict by the U.S. media had focused on "Russian aggression" without the context of it being a response to initial Georgian attacks. He charged that the uniform manner in which the Georgian actions had been ignored by the American media "was reminiscent of a period in the history of totalitarian press." He also expressed dismay that European human rights groups and organization had said little or nothing about Georgian actions; their reaction to the conflict and its consequences had not been balanced.

Recognition

¶7. (C) Lukin, who had opposed immediate recognition by Russia of the independence of South Ossetia and Abkhazia, nonetheless argued that there was logic behind Medvedev's decision to do so at this time. When a strong military organization (NATO) is on the country's borders, steps need to be taken for security. Asked how he would reconcile recognition with Russia's commitment in the Medvedev-Sarkozy agreement to international discussions on security for South Ossetia and Abkhazia, Lukin said "We are already too late for that." He said he had recommended that Russia hold off on immediate recognition to see what next steps NATO would take with regard to Georgia at its December meetings, and was critical that the government had played this card for free. The escalation of measures on the part of the U.S. and Europe, including the agreement with Poland on MD, all demonstrated that actions against Russia would not stop. The West had to understand Russian psychology: Moscow had to show that, like the U.S., it can and will take steps it deems necessary to defend its interests.

Tribunal

¶8. (C) Lukin elaborated on his call for an international tribunal to investigate crimes committed in South Ossetia. He sketched his broad conception that the tribunal be "ad hoc, as in the case of the body examining crimes committed in Kosovo" and said it should not target Georgia alone or Saakashvili in particular, but all those who destroyed

property and caused civilian suffering, including Russians. The tribunal might be convened under the jurisdiction of the International Court of Justice in The Hague, or under the European Court of Human Rights in Strasbourg. If those who committed crimes can be located, they should be tried and, if found guilty, punished. He said he would refrain from declaring one side or the other good or evil in the conflict zone.

Genocide and Estimated Casualties

¶9. (C) Lukin said he had not and would not use the term "genocide" to describe what happened. Causes were complicated and events had been ugly, and they all needed to be investigated. Genocide connotes actions on a scale or with the kind of racial or ethnic motives of the Nazis. This was not genocide. Moreover, there was no way to determine the exact number of deaths at this time and that he would continue to refrain from making any estimates. Ultimately, there will be an accounting. One complicating factor in determining the exact number of deaths at this point is that many people are simply unaccounted for. It is not known if they fled the fighting and, if so, to where. Others may have been detained by Russian or Georgian forces. He noted, for example, that at the request of COE Hammarberg, who gave him a list with the names of 86 people detained by Russian forces, he undertook work with the MOD. Those persons had now been released. Ambassador Beyrle suggested that the tribunal might also be charged with investigating the number of deaths resulting from the conflict. Lukin agreed.

Next Steps

¶10. (C) Lukin said he regretted the cancellation of the Kissinger "wise men" group to Moscow. Consultations between senior officials from both countries are needed to begin a process of dealing with new realities. He said he understood that the U.S. did not want to lose face in the showdown over Georgia. Finding a way forward in bilateral relations, he contended, depends less on who won in Abkhazia and South Ossetia than on who will win forthcoming US elections. Ambassador Beyrle forcefully said Russia should not downplay the seriousness with which the current administration is approaching relations with Russia and its desire to leave for its successor a relationship based on respect for international norms and that promoted mutual interests. He urged against waiting for the next administration while important issues and work remained. Recognition of South Ossetia and Abkhazia had further complicated the relationship and would have an impact both on what could be done now, and how the new administration would be able to work with Russia.

¶11. (C) Lukin called for high-level discussions between the U.S. and Russia. Difficult times were ahead, he said, but the long-term consequences for bilateral relations and international cooperation could be mitigated only if the U.S. and Russia discussed issues with an appreciation of each other's interests. Lukin declared that the U.S. had in Putin and Medvedev two serious interlocutors, people who more so than any previous post-Soviet leaders were truly interested in cooperation with the West, two men who had taken each decision carefully and whose overall priority was what was best for Russia. Medvedev had begun his administration with a focus on domestic reforms which, for now, were on hold. Lukin hoped that within 4-5 months he would be able to return to these important matters.

¶12. (C) COMMENT: Lukin is a liberal on the Russian political spectrum, someone disposed toward cooperation with the U.S. Still, his statements on recognition, Russian perceptions of one-sided American media coverage of the war and U.S. culpability for arming Georgia under Saakashvili reflect the thinking of the majority of Russian foreign policy elite. Nonetheless, in the coming months, as the foreign economic and political costs to Russia mount, we stand our best chance of getting our views heard, and conveyed to GOR officials,

through interlocutors such as Lukin.
BEYRLE